

A. Objections to the Claims

Claims 1 to 31 were originally filed in the application. A preliminary amendment attempted to cancel "claims 1 to 33" and add a new claim which was numbered as 34. However, as the Examiner notes in the Action, the new claim should have been numbered as claim 32 since only claims 1 to 31 were pending at the time of the preliminary amendment. A second preliminary amendment added new claims which were numbered claims 35 to 67. However, these new claims should have been numbered as claims 33 to 65.

The Examiner objected to the claims as being numbered in a non-consecutive manner, but indicated that the misnumbered claims 35 to 67 have been renumbered as claims 33 to 65. The Examiner did not indicate that misnumbered claim 34 has been renumbered as claim 32. Therefore, it is respectfully requested that the Examiner indicate in the next Action or Notice that the pending claims are claims 32 to 65, formally misnumbered claims 34 to 67.

B. Double Patenting Rejections

Claims 32 to 65 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 to 33 of U.S. Patent No. 6,208,895. However, the Examiner indicates that upon the submission of an acceptable terminal disclaimer to obviate the double patenting rejection, claims 32 to 65 would be allowable.

In response to the rejection, a terminal disclaimer and the appropriate fee accompany this paper. The terminal disclaimer disclaims any patent term for the present application extending beyond that of U.S. Patent No. 6,208,895, and establishing that the patents are to remain commonly assigned. Thus, it is respectfully requested that the rejections of claims 32 to 65 be withdrawn.